

Permitting & Assistance Branch Staff Report

Revised Solid Waste Facilities Permit for the
Sun Street Transfer Station
SWIS No. 27-AA-0110
November 15, 2012

Background Information, Analysis, and Findings:

This report was developed in response to the Monterey County Health Department's (LEA) request for the Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed revised Solid Waste Facilities Permit (SWFP) for the Sun Street Transfer Station, SWIS No. 27-AA-0110, located in Monterey County and owned and operated by the Salinas Valley Solid Waste Authority. A copy of the proposed permit is attached. This report contains Permitting & Assistance Branch staff's analysis, findings, and recommendations.

The proposed permit was received on October 12, 2012. Action must be taken on this permit no later than December 11, 2012. If no action is taken by December 11, 2012, the Department will be deemed to have concurred with the issuance of the proposed revised SWFP.

Proposed Changes

The following changes to the first page of the permit are being proposed:

	Current Permit (2005)	Proposed Permit
Permitted Hours of Operation	8:00 AM-6:00 PM Daylight Savings Time (Monday-Saturday) 8:00 AM- 5:00 PM Standard Time (Monday-Saturday)	7:00 AM-5:00 PM Monday-Friday (Franchise and Public) 8:00 AM-4:00 PM Saturday (Public)
Permitted Maximum Tonnage	400 MAX TPD WASTE (300 TPD WASTE & 100 TPD RECYCLABLE MATERIAL)	400 MAX TPD WASTE
Design Capacity (cu.yds)	300 ton/1200 yd3	400 ton/1600 yd3

Other Changes include:

1. Installation of a 4,000 gallon biofuel tank on site.
2. Franchise hauler trucks will use Griffin Street as ingress and egress to the facility.

Key Issues:

The proposed permit will allow for the following:

1. A change in operating hours from 8:00 AM - 6:00 PM daylight savings time (Monday-Saturday), 8:00 AM - 5:00 PM standard time (Monday-Saturday); to 7:00 AM - 5:00 PM (Monday - Friday) and 8:00 AM - 4:00 PM (Saturday).

2. Maximum daily tonnage from 400 tons per day with a limit of 300 tons per day of waste and 100 tons per day of recyclable material changing to 400 tons per day of both waste and recyclable materials.

Background:

Sun Street Transfer Station is located between Sun and Griffin Streets, approximately one quarter mile west of Highway 101 within the City of Salinas limits. The facility is owned and operated by the Salinas Valley Solid Waste Authority and began operations in 2005.

Findings:

Staff recommends concurrence in the issuance of the proposed revised SWFP. All of the required submittals and findings required by Title 27 of the California Code of Regulations (27 CCR), Section 21685, have been provided and made. Staff has determined that the California Environmental Quality Act (CEQA) requirements have been met to support concurrence. The findings that are required to be made by the Department when reaching a determination are summarized in the following table. The documents on which staff's findings are based have been provided to the Branch Chief with this Staff Report and are permanently maintained by the Waste Permitting, Compliance and Mitigation Division.

27 CCR Sections	Findings	
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	The LEA provided the required certification in their permit submittal letter dated October 11, 2012.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(2) LEA Five Year Permit Review	A Permit Review Report was prepared by the LEA on September 20, 2010. The LEA provided a copy to the Department on September 21, 2010. The changes identified in the review are reflected in this permit revision.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	Staff received a proposed Solid Waste Facilities Permit on October 12, 2012.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685 (b)(4)(A) Consistency with Public Resources Code 50001	The LEA in their permit submittal package received on October 12, 2012, provided a finding that the facility is consistent with PRC 50001. Waste Evaluation & Enforcement Branch (WEEB) staff in the Jurisdiction Product & Compliance Unit found the facility is identified in the Non-disposal Facility Element and with the Countywide Integrated Waste Management Plan, as described in the memorandum dated October 30, 2012.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(8) Operations Consistent with State Minimum Standards	WEEB staff in the Inspections and Enforcement Agency Compliance Unit found that the facility was in compliance with all operating and design requirements during an inspection conducted on November 15, 2012. See compliance history below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

27 CCR Sections	Findings	
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their permit submittal package received on October 12, 2012, that the proposed permit is consistent with and supported by the existing CEQA documentation. See CEQA information below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21650(g)(5) Public Notice and/or Meeting, Comments	A Public Informational Meeting was held by the LEA on September 6, 2012. No written comments were received by LEA or Department staff. Oral comments were address by LEA staff. See Public Comments section below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
CEQA Determination to Support Responsible Agency's Findings	The Department is a responsible agency under CEQA with respect to this project. Permitting and Assistance Branch staff has determined that the CEQA record can be used to support the Branch Chief's action on the proposed revised SWFP.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

Compliance History:

WEEB staff in the Inspections and Enforcement Agency Compliance Unit conducted a pre-permit inspection on November 15, 2012, and found that the facility is in compliance with applicable state minimum standards and permit conditions.

Below are the details of Sun Street Transfer Station's compliance history based on the LEA's monthly inspection reports during the last five years:

- 2012 - No violations were noted.
- 2011 - Four violations of PRC 440149(b) – Operator complies with terms and conditions of permit.
- 2010 - Two violations of PRC 440149(b) – Operator complies with terms and conditions of permit.
- 2009 - No violations were noted.
- 2008 - One violation of PRC 440149(b) – Operator complies with terms and conditions of permit.

All violations were incurred for exceeding maximum permitted daily tonnage of 300 tons per day of waste.

Environmental Analysis:

Under California Environmental Quality Act (CEQA), the Department must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed SWFP before the Department concurs in it. In this case, the Department is a Responsible Agency under CEQA and must utilize the environmental document prepared by the Salinas Valley Solid Waste Authority, acting as Lead Agency, absent changes in the project or the circumstances under which it will be carried out that justify the preparation of additional environmental documents and absent significant new information about the project, its impacts and the mitigation measures imposed on it.

The changes that will be authorized by the issuance of the proposed permit include:

- A change in operating hours from 8:00 AM - 6:00 PM daylight savings time (Monday-Saturday), 8:00 AM - 5:00 PM standard time (Monday-Saturday); to operating hours of 7:00 AM - 5:00 PM (Monday - Friday) and 8:00 AM - 4:00 PM (Saturday).
- Maximum daily tonnage from 400 tons per day with a limit of 300 tons per day of waste and 100 tons per day of recyclable material changing to 400 tons per day of both waste and recyclable material.

The LEA has made a finding that the proposed permit revision is consistent with and supported by existing CEQA analysis. A Mitigated Negative Declaration (MND), State Clearinghouse (SCH) No. 2003091068, was adopted in 2003 by the Salinas Valley Solid Waste Authority, acting as Lead Agency. A Subsequent Mitigated Negative Declaration (SMND), SCH No. 2003091068, was adopted by the Salinas Valley Solid Waste Authority, acting as Lead Agency in 2005. The MND and SMND analyzed for an average daily tonnage of incoming waste of 400 tons per day and operating hours of 6:00 AM - 6:00 PM, Monday through Saturday. The project analysis concluded that any physical environmental impacts caused by the project could be mitigated to less than significant levels with the implementation of the mitigation measures included in the Mitigation, Monitoring and Reporting Program.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, utilize the MND and SMND as prepared by the Lead Agency in that there are no grounds under CEQA for the Department to prepare a subsequent or supplemental environmental document or assume the role of Lead Agency for its consideration of the proposed revised SWFP. Department staff has reviewed and considered the CEQA Findings adopted by the Lead Agency. Department staff further recommends the MND and SMND, together with the CEQA finding, is adequate for the Branch Chief's environmental evaluation of the proposed project for those project activities which are within the Department's expertise and/or powers, or which are required to be carried out or approved by the Department.

The administrative record for the decision to be made by the Department includes the administrative record before the LEA, the proposed revised SWFP and all of its components and supporting documentation, this staff report, the MND and SMND adopted by the Lead Agency, and other documents and materials utilized by the Department in reaching its decision on concurrence in, or objection to, the revised SWFP. The custodian of the Department's administrative record is Dona Sturgess, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

Public Comments:

The project document availability, hearings, and associated meetings were noticed consistent with the SWFP requirements. The LEA held a public informational meeting on September 6, 2012, at the offices of the Salinas Valley Solid Waste Authority in the City of Salinas. Two members of the public were in attendance and asked permit related questions which were answered by the LEA. Concerns were raised by the attendees regarding vector control, flies and dust at the facility. The LEA and operator responded that vector and dust control measures are currently in place and have been successful. No written comments were received by the LEA or Department staff.

The Department staff provided an opportunity for public comment during the CalRecycle Monthly Public Meetings on October 16, 2012 and November 19, 2012.